

Workplace Relations Act 1996
s.189 of Schedule 1B - arrangement for conduct of an election

Victorian Automobile Chamber of Commerce
(E2004/304)

T NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 17 NOVEMBER 2004

Arrangement for conduct of an election.

DECISION

[1] On 9 November 2004, the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election for the following offices;

Board of Management Members:

Service Station and Convenience Store Division	(9)
Automobile Repairers' Division	(9)
Australian Automobile Dealers Association (Victorian Division)	(5)
Used Car Traders' Division	(5)
Body Repair Division	(5)
Towing Operators' Division	(3)
Victorian Tyre Dealers' Association	(2)
Motorcycle Industry Division	(2)
Commercial Vehicle Industry Association (Victoria)	(2)
"A" Grade Board of Examiners	(1)
Automotive Dismantlers and Recyclers Division	(1)
Automotive Electrical Division	(1)
Engine Reconditioners' Association of Victoria	(1)
Radiator Service Division	(1)
Farm Machinery Dealers Association	(1)
Commercial Vehicle Body Manufacturers Association	(1)
Tasmanian Automobile Chamber of Commerce	(1)
Representatives of members who are not members of a Division or Association	(4)

[2] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of Schedule 1B of the Act, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



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OFFICE OF THE PRESIDENT

VICTORIAN AUTOMOBILE
CHAMBER OF COMMERCE
ABN 63 009 478 209

26 October 2004

VACC House
464 St Kilda Road
Melbourne 3004

Mr T Nassios
General Manger - Research Branch
Australian Industrial Registry
P O Box 1994S
MELBOURNE VIC. 3001.

Phone: 03 9829 1111
Fax: 03 9866 6017

E2004/304

Dear Mr Nassios,

VACC ELECTIONS - BOARD OF MANAGEMENT

We enclose Prescribed information in accordance with Sections 189 (1) and 187 of the Workplace Relations Act.

We also enclose a copy of the minutes from the Board of Management meeting, which approved the formation of a new division to be known as the "Automotive Dismantlers and Recyclers Division".

We confirm that the VACC Rules provide that "the Association may be divided into such divisions or affiliated associations as the Board shall from time to time direct", and also draw your attention to Rule 9 of the Constitution and Rules which provides for some 13 "default" divisions or affiliated divisions "Unless otherwise determined by the Board".

We also draw your attention to Rule 18, which provides for the business and affairs of the VACC to be managed and carried on by the Board of Management as provided by the Rule. This includes the present formation in Rule 18 including one member from each of the other divisions.

I also advise that we have sought legal advice on the application of the Rules in this matter; a copy of which can be provided should you so desire.

The Chamber would appreciate your written response to this proposed election timetable at your earliest convenience.

If you require any further clarification or wish to discuss any of the above, please contact our Industrial Officer, Kevin Redfern on 9829 1120.

Yours faithfully,



RUSSELL STUCKEY

Attach.

**VICTORIAN AUTOMOBILE CHAMBER OF COMMERCE
PRESCRIBED INFORMATION**

I hereby furnish prescribed information in relation to vacancies to be filled:

GENERAL MEMBERSHIP REPRESENTATIVES

NOMINATIONS OPEN Tuesday, 11 January 2005

NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (4) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: All financial VACC members

Term of office: Two years

Voting system: Direct voting

"A" GRADE BOARD OF EXAMINERS

NOMINATIONS OPEN Tuesday, 11 January 2005

NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (1) BOARD OF MANAGEMENT REPRESENTATIVE

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Members of the "A" Grade Board of Examiners who are members of the Association

Term of office: Two years

Voting system: Direct voting

AADA – AUSTRALIAN AUTOMOBILE DEALERS ASSOCIATION (VIC)

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (5) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial AADA Division members

Term of office: Two years

Voting system: Direct voting

ARD – AUTOMOBILE REPAIRERS' DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (9) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial ARD Division members

Term of office: Two years

Voting system: Direct voting

ADRD – AUTOMOTIVE DISMANTLERS AND RECYCLERS DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (1) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial ADRD Division members

Term of office: Two years

Voting system: Direct voting

AED – AUTOMOTIVE ELECTRICAL DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (1) BOARD OF MANAGEMENT REPRESENTATIVE

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial AED Division members

Term of office: Two years

Voting system: Direct voting

BRD – BODY REPAIR DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (5) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial BRD Division members

Term of office: Two years

Voting system: Direct voting

CVBMA – COMMERCIAL VEHICLE BODY MANUFACTURERS ASSOCIATION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (1) BOARD OF MANAGEMENT REPRESENTATIVE

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial CVBMA Division members

Term of office: Two years

Voting system: Direct voting

CVIA – COMMERCIAL VEHICLE INDUSTRY ASSOCIATION (VIC)

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (2) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial CVIA Division members

Term of office: Two years

Voting system: Direct voting

ERA – ENGINE RECONDITIONERS' ASSOCIATION (VIC)

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (1) BOARD OF MANAGEMENT REPRESENTATIVE

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial ERA Division members

Term of office: Two years

Voting system: Direct voting

FMDA – FARM MACHINERY DEALERS ASSOCIATION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (1) BOARD OF MANAGEMENT REPRESENTATIVE

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial FMDA Division members

Term of office: Two years

Voting system: Direct voting

MID – MOTORCYCLE INDUSTRY DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (2) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial MID Division members

Term of office: Two years

Voting system: Direct voting

RSD – RADIATOR SERVICE DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (1) BOARD OF MANAGEMENT REPRESENTATIVE

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial RSD Division members

Term of office: Two years

Voting system: Direct voting

SSCSD – SERVICE STATION AND CONVENIENCE STORE DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (9) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial SSCSD Division members

Term of office: Two years

Voting system: Direct voting

TOD – TOWING OPERATORS' DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (3) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial TOD Division members

Term of office: Two years

Voting system: Direct voting

UCTD – USED CAR TRADERS' DIVISION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (5) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial UCTD Division members

Term of office: Two years

Voting system: Direct voting

VTDA – VICTORIAN TYRE DEALERS' ASSOCIATION

NOMINATIONS OPEN Tuesday, 11 January 2005
NOMINATIONS CLOSE Tuesday, 25 January 2005

NOMINATIONS ARE CALLED FOR (2) BOARD OF MANAGEMENT REPRESENTATIVES

Reason for election: The Rules require that this election occur each two calendar Years.

Electorate: Financial VTDA Division members

Term of office: Two years

Voting system: Direct voting

MINUTES

Board of Management Meeting

Victorian Automobile Chamber of Commerce

Wednesday 26 November, 2003 at 9.30am

VACC House, 464 St Kilda Road, Melbourne

PRESENT: Mr Russell Stuckey (President)
and 42 members as recorded in the Attendance Book.

IN ATTENDANCE: Mr DA Purchase (Executive Director)
Mr KM Redfern (General Manager Industrial Relations & Training)
Mr G Jurkschat (General Manager Divisions & Membership)
Mr DV Russell (Senior Manager Government & Public Affairs)
Mr I Pizzey (Senior Manager Finance & Property)
Mr T O'Brien (Senior Manager Marketing, Media & Publications)
Mr P Letos (Manager AADA & UCTD)

1. WELCOME

The President welcomed Mr. Tony Sanchez, attending as an observer for the Automotive Electrical Division and acting as AED Chairman following the resignation of Mr. Les Richardson from the Chairmanship and from the Board of Management.

2. APOLOGIES

Messrs	J Anderson)	
	D Dean)	
	D Holstock AM)	Past-Presidents
	D Nutter		AADA
	J Shneider		ARD
	D Mackay		ARD
	A Costello		BRD
	I Shugg		ERA
	J Bacon		MID
	S Wishart		RSD
	R Kaucic		SSCSD
	B Santini		SSCSD
	R Weatherald		SSCSD
	C Bromley		SSCSD
	P Savige		UCTD

The President asked for a resolution on the brand advertising campaign. It was moved by Mr. Kirwan and seconded by Mr. Rickard :

“THAT THE BOARD OF MANAGEMENT CONFIRMED THE DIRECTION IN WHICH VACC WAS HEADING WITH THE BRAND MARKETING CAMPAIGN.”

The Board of Management noted the Report.

B. MEMBER DISCOUNTS

The Senior Manager, Marketing, Media and Publications, Mr. O'Brien, referred to the meeting papers and highlighted the discounts available to VACC members. He highlighted the Commonwealth Bank EFTPOS deal, which VACC had negotiated at a very competitive 0.86% charge for transactions. He also referred members to the VACC Website, which included a calculator of savings on EFTPOS using the Commonwealth Bank discount arrangement.

He also reported on a new member discount proposed for a financial services package through Members Equity. He said the Members Equity organisation was established with the support of Australia's industry superannuation funds, including the MTAA Super Fund. A Heads of Agreement had been signed by VACC and Members Equity.

Members Equity was about to commence intensive brand marketing, which would assist VACC to publicise the new arrangement to members.

Mr. O'Brien said a new telephone deal was also close to being announced. However, the electricity deal with AGL was taking much longer and becoming difficult.

The Board of Management noted the Report.

C. ESTABLISHMENT OF A DISMANTLERS AND PARTS RECYCLERS DIVISION

The President asked the General Manager, Divisions and Membership, to report. Mr. Jurkschat said there was a growing number of retail automotive businesses eligible for such a Division. VACC had planned to create an opportunity for existing members and new members in the recycling industry to be formally represented by the VACC.

He referred to the meeting papers, which included draft application forms and draft rules and by-laws for a new VACC Division. He said there were approximately 250 businesses eligible to join the proposed Division and there was support for the formation of the Division amongst industry participants.

The President asked for questions or comments on the proposal.

Mr. Buskes asked whether motorcycle recyclers would be eligible to join. Mr. Jurkschat answered, "Yes" and they would be most welcome.

There was discussion about the name of the Division, and it was moved by Mr. Blake and seconded by Mr. Owen Brown:

"THAT THE WORD "PARTS" BE DELETED FROM THE NAME OF THE PROPOSED DIVISION."

The motion was carried.

The President asked for further discussion. Mr. Howes commented that he supported the establishment of the Division, but did not agree that recyclers of oil should be included.

Mr. Blake said that an Automotive Dismantlers and Recyclers Division could also create sub-categories to cater for specialists as had been done by the Automobile Repairers Division.

Mr. Warren Smith asked, "Where do vehicle part importers and exporters fit into the VACC member division structure?"

The Executive Director agreed to answer Mr. Warren Smith's question, on notice.

It was moved by Mr. Owen Brown and seconded by Mr. Graeme Hill:

"THAT THE BOARD OF MANAGEMENT AGREES TO THE ESTABLISHMENT OF A NEW VACC DIVISION TO BE KNOWN AS THE AUTOMOTIVE DISMANTLERS AND RECYCLERS DIVISION."

The motion was carried.

D. VEHICLE SAFETY

The Senior Manager, Government and Public Affairs, Mr. Russell, reported on the VACC political campaign to improve vehicle maintenance, inspection and safety. He said there were four components of the current strategy and each was reported in the Board papers. The Five Point Safety Inspection project was the first. It continued to meet with member approval.

Second was the F100 testing to demonstrate how an unroadworthy vehicle was unsafe under emergency braking.

The third element was publicity generated by VACC on the F100 and broadcast by Channel 7 on the Today Tonight programme. The fourth was a Vehicle Safety Forum, hosted by VACC on the subject of "Vehicles as Workplaces".

VICTORIAN AUTOMOBILE CHAMBER OF COMMERCE BOARD OF MANAGEMENT REPRESENTATIVES

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/304

"A" GRADE BOARD OF EXAMINERS

Board of Management Member

No nomination was received

AUTOMOBILE REPAIRERS' DIVISION

Board of Management Member (9)

Candidates

AWRAMENKO, Mark
BARLOW, Tony
BLAKE, Anthony
MACKAY, David
MCILWAINE, Graeme
PARROT, Laurie
SHNEIDER, Joe
THOMAS, Ian Keith
THOMPSON, Bruce

AUTOMOTIVE ELECTRICAL DIVISION

Board of Management Member

Candidate

SANCHEZ, Antonio Lucas

BODY REPAIR DIVISION

Board of Management Member (5)

No nominations were received

COMMERCIAL VEHICLE BODY MANUFACTURERS ASSOCIATION

Board of Management Member

Candidate

SMITH, Neil Franklin

COMMERCIAL VEHICLE INDUSTRY ASSOCIATION (VICTORIA)

Board of Management Member (2)

Candidates

FORZA, John C
SMITH, Neil Franklin

ENGINE RECONDITIONERS' ASSOCIATION OF VICTORIA

Board of Management Member

Candidate

DOHERTY, Colin

FARM MACHINERY DEALERS ASSOCIATION

Board of Management Member

Candidate

GODING, Ian

MOTORCYCLE INDUSTRY DIVISION

Board of Management Member (2)

Candidates

BACON, John
BUSKES, John

REPRESENTATIVES OF MEMBERS NOT OF A DIVISION OR ASSOCIATION

Board of Management Member (4)

Candidates

ARMSTRONG, Don
BROWN, Owen
KIRWAN, Max
No further nomination was accepted

TASMANIAN AUTOMOBILE CHAMBER OF COMMERCE

Board of Management Member

Candidate

HOWELL, Rodney

TOWING OPERATORS' DIVISION

Board of Management Member (3)

Candidates

LA ROCCA, Bill
MANENTI, Sam
OLIVER, Trevor

USED CAR TRADERS DIVISION

Board of Management Member (5)

Candidates

CURMI, Brian
HALL, Stephen Joseph
RICHARDS, Sandy
SAVIGE, Peter Russell
WYLIE, Tony

VICTORIAN TYRE DEALERS' ASSOCIATION

Board of Management Member (2)

Candidates

BYRNE, Garry
STUCKEY, Russell

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Tony King
Returning Officer
21 February 2005

**VICTORIAN AUTOMOBILE CHAMBER OF COMMERCE
BOARD OF MANAGEMENT REPRESENTATIVES**

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/304

AUSTRALIAN AUTOMOBILE DEALERS ASSOCIATION (VICTORIAN DIVISION)

Total number of persons on the roll of voters	281
Ballot papers issued	281
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	281
Ballot papers / envelopes returned for scrutiny	137
Less ballot papers / envelopes rejected at preliminary scrutiny	2
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	135
Percentage of ballot papers returned to number issued	48%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	146

BOARD OF MANAGEMENT MEMBER (5)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>	<u>Order of Election</u>
BYRNE, John	29	69	Third elected
CURMI, Brian	18	63	
MAKIN, Perce	42	73	First elected
NUTTER, David	17	73	Second elected
SMITH, Warren Reginald	15	71	Fourth elected
WALLACE, Gregory Thomas	8	66	Fifth elected
Total votes	129		
Formal ballot papers	129		
Informal ballot papers	6		

I declare Perce Makin, David Nutter, John Byrne, Warren Reginald Smith and Gregory Thomas Wallace elected.

Tony King
Returning Officer
Australian Electoral Commission
21 February 2005

VICTORIAN AUTOMOBILE CHAMBER OF COMMERCE BOARD OF MANAGEMENT REPRESENTATIVES

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/304

AUTOMOTIVE DISMANTLERS AND RECYCLERS DIVISION

Total number of persons on the roll of voters	58
Ballot papers issued	58
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	58
Ballot papers / envelopes returned for scrutiny	41
Less ballot papers / envelopes rejected at preliminary scrutiny	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	41
Percentage of ballot papers returned to number issued	70%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	17

BOARD OF MANAGEMENT MEMBER

<u>Candidates</u>	<u>Votes</u>
IMLACH, Dale	18
MCKENDRY, Gary	23
Total votes	41
Formal ballot papers	41
Informal ballot papers	0

I declare Gary McKendry elected.

Tony King
Returning Officer
Australian Electoral Commission
21 February 2005

**VICTORIAN AUTOMOBILE CHAMBER OF COMMERCE
BOARD OF MANAGEMENT REPRESENTATIVES**

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/304

RADIATOR SERVICE DIVISION

Total number of persons on the roll of voters	56
Ballot papers issued	56
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	56
Ballot papers / envelopes returned for scrutiny	32
Less ballot papers / envelopes rejected at preliminary scrutiny	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	32
Percentage of ballot papers returned to number issued	57%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	24

BOARD OF MANAGEMENT MEMBER

<u>Candidates</u>	<u>Votes</u>
MCLEAN, Raymond C	11
WAUGH, Colin	21
Total votes	32
Formal ballot papers	32
Informal ballot papers	0

I declare Colin Waugh elected.

Tony King
Returning Officer
Australian Electoral Commission
21 February 2005

VICTORIAN AUTOMOBILE CHAMBER OF COMMERCE BOARD OF MANAGEMENT REPRESENTATIVES

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/304

SERVICE STATION AND CONVENIENCE STORE DIVISION

Total number of persons on the roll of voters	235
Ballot papers issued	235
Duplicate ballot papers issued	1
TOTAL BALLOT PAPERS ISSUED	236
Ballot papers / envelopes returned for scrutiny	70
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	69
Percentage of ballot papers returned to number issued	29%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	167

BOARD OF MANAGEMENT MEMBER (9)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>	<u>Order of Election</u>
BORTOLOTTO, Fury	10	36	Second elected
BROMLEY, Craig Stewart	6	39	Seventh elected
BROWN, Des	4	37	Fifth elected
GREY, Douglas Martin	5	38	Eighth elected
HILL, Graeme George	12	36	Third elected
KAUCIC, Richard	3	43	Ninth elected
KAZI, Aslam	1	26	
LAMB, James	11	35	Fourth elected
LA ROSA, Tony	10	35	First elected
WEATHERALD, Robin Hull	7	38	Sixth elected
Total votes	69		
Formal ballot papers	69		
Informal ballot papers	0		

I declare Tony La Rosa, Fury Bortolotto, Graeme George Hill, James Lamb, Des Brown, Robin Hull Weatherald, Craig Stewart Bromley, Douglas Martin Grey and Richard Kaucic elected.

Tony King
Returning Officer
Australian Electoral Commission
21 February 2005